

## DECLARATION

As the below-named inventors, we declare that:

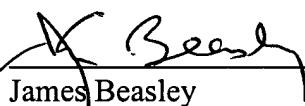
Our residences, post office addresses, and citizenships are as stated below under our names.

We believe we are the original, first, and joint inventors of the subject matter claimed and for which a patent is sought on the invention entitled "WIRELESS BASE STATION NEIGHBOR DISCOVERY IN A COMMUNICATION SYSTEM, SUCH AS A SYSTEM EMPLOYING A SHORT-RANGE FREQUENCY-HOPPING SCHEME" in the foregoing specification and claims, which claims the benefit of U.S. Provisional Application No. 60/288,296, filed May 2, 2001.

We have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment specifically referred to above.

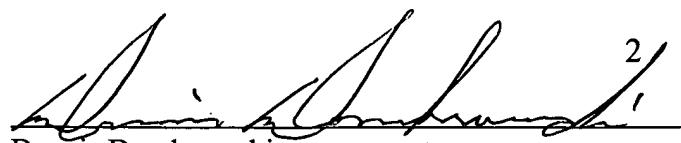
We acknowledge our duty to disclose information which is material to the patentability of this application in accordance with 37 C.F.R. § 1.56(a).

We further declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that the making of willfully false statements and the like is punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and may jeopardize the validity of any patent issuing from this patent application.

  
James Beasley

Date 4-12-02

Residence : City of Simi Valley  
State of California  
Citizenship : United States of America  
P.O. Address : 634 Verdemont Circle  
Simi Valley, California 93065



Dennis Dombrowski

Date 4/12/02

Residence : City of Moorpark  
State of California

Citizenship : United States of America

P.O. Address : 12132 London Grove Court  
Moorpark, California 93021



Matthew Kuiken

Date 05/29/02

Residence : City of Thousand Oaks City of Goleta  
State of California

Citizenship : United States of America

P.O. Address : 535 North Oaktree Lane, Apt. D 166 Kingston Ave E  
Thousand Oaks, California 91360 Goleta, CA 93117

Wade D. Mergenthal  
Wade Mergenthal

Date 12 Apr 2002

Residence : City of Camarillo  
State of California

Citizenship : United States of America

P.O. Address : 5255 Goldenridge Court  
Camarillo, California 93012

Spencer Stephens

Date

4/12/02

Residence : City of ~~Toluca Lake~~ Los Angeles, CA

State of California

Citizenship : United States of America

P.O. Address : 4538 Ledge Avenue  
Toluca Lake, California 91602

PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : James Beasley et al.  
Filed : Concurrently Herewith  
For : WIRELESS BASE STATION NEIGHBOR DISCOVERY IN A  
COMMUNICATION SYSTEM, SUCH AS A SYSTEM  
EMPLOYING A SHORT-RANGE FREQUENCY-HOPPING  
SCHEME

Docket No. : 340158002US1

Commissioner for Patents  
Washington, DC 20231

ELECTION UNDER 37 C.F.R. §§ 3.71 AND 3.73  
AND POWER OF ATTORNEY

Sir:

The undersigned, being Assignee of the entire interest in the above-identified application by virtue of an Assignment filed concurrently herewith, a copy of which is enclosed, hereby elects under 37 C.F.R. § 3.71, to prosecute the application to the exclusion of the inventors.

Assignee hereby appoints JERRY A. RIEDINGER, Registration No. 30,582; MAURICE J. PIRIO, Registration No. 33,273; MICHAEL D. BROADDUS, Registration No. 41,637; CATHERINE HONG TRAN, Registration No. 43,960; ROBERT G. WOOLSTON, Registration No. 37,263; PAUL T. PARKER, Registration No. 38,264; JOHN M. WECHKIN, Registration No. 42,216; CHRISTOPHER DALEY-WATSON, Registration No. 34,807; STEVEN D. LAWRENZ, Registration No. 37,376; JAMES A.D. WHITE, Registration No. 43,985; EDWARD S. HOTCHKISS, Registration No. 33,904; JAMES NICKELSON, Registration No. 46,140; and STEPHEN E. ARNETT, Registration No. 47,392, of Perkins Coie LLP, as the principal attorneys

with full power of substitution, association, and revocation to prosecute said application, to transact all business in the Patent and Trademark Office connected therewith, and to receive the letters patent therefor. Please direct all correspondence to Customer Number 25096.

Bar Code:

**\*25096\***

25096

PATENT TRADEMARK OFFICE

Pursuant to 37 C.F.R. § 3.73, the undersigned duly authorized designee of Assignee certifies that the evidentiary documents have been reviewed, specifically the Assignment to Strix Systems, Inc. filed concurrently herewith for recording, a copy of which is attached hereto, and certifies that to the best of my knowledge and belief, title remains in the name of the Assignee.

STRIX SYSTEMS, INC.

3/26/02

Date



Name: GORDON ALMQUIST

Title: C.F.D.

CJD:SBR

Enclosure:

Copy of Assignments

ASSIGNMENT

WHEREAS, we, James Beasley, Dennis Dombrowski, Matthew Kuiken, Wade Mergenthal, and Spencer Stephens ("ASSIGNORS"), having post office addresses of 634 Verdemont Circle, Simi Valley, California 93065; 12132 London Grove Court, Moorpark, California 93021; 535 North Oaktree Lane, Apt. D, Thousand Oaks, California 91360; 5255 Goldenridge Court, Camarillo, California 93012; and 4538 Ledge Avenue, Toluca Lake, California 91602, respectively, are the joint inventors of an invention entitled "WIRELESS BASE STATION NEIGHBOR DISCOVERY IN A COMMUNICATION SYSTEM, SUCH AS A SYSTEM EMPLOYING A SHORT-RANGE FREQUENCY-HOPPING SCHEME," as described and claimed in the specification forming part of an application for United States letters patent executed herewith and which claims the benefit of U.S. Provisional Application No. 60/288,296, filed May 2, 2001;

WHEREAS, Strix Systems, Inc. ("ASSIGNEE"), a corporation of the State of Delaware having a place of business at 310 North Westlake Boulevard, Suite 150, Westlake Village, California 91362, is desirous of acquiring the entire right, title, and interest in and to the invention and in and to any patents that may be granted therefor in the United States and in any and all foreign countries;

NOW, THEREFORE, in exchange for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, ASSIGNORS hereby sell, assign, and transfer unto ASSIGNEE, its legal representatives, successors, and assigns, the entire right, title and interest in and to the invention as set forth in the above-mentioned application, including any continuations, continuations-in-part, divisions, reissues, re-examinations, or extensions thereof, any other inventions described in the application, and any and all patents of the United States of America and all foreign countries that may be issued for the invention, including the right to file foreign applications directly in the name of ASSIGNEE and to claim priority rights deriving from the United States application to which foreign applications are entitled by virtue of international convention, treaty or otherwise, the invention, application and all patents on the invention to be held and enjoyed by ASSIGNEE and its successors and assigns for their use and benefit and of

their successors and assigns as fully and entirely as the same would have been held and enjoyed by ASSIGNORS had this assignment, transfer, and sale not been made.

UPON THE ABOVE-STATED CONSIDERATIONS, ASSIGNORS agree to not execute any writing or do any act whatsoever conflicting with this assignment, and at any time upon request, without further or additional consideration but at the expense of ASSIGNEE, execute all instruments and documents and do such additional acts as ASSIGNEE may deem necessary or desirable to perfect ASSIGNEE's enjoyment of this grant, and render all necessary assistance required for the making and prosecution of applications for United States and foreign patents on the invention, for litigation regarding the patents, or for the purpose of protecting title to the invention or patents therefor.

ASSIGNORS authorize and request the Commissioner of Patents and Trademarks to issue any Patent of the United States that may be issued for the invention to ASSIGNEE.

4-17-2002 \_\_\_\_\_ Beasley  
Date James Beasley  
State of California )  
 )  
 )  
County of VENTURA )  
ss.

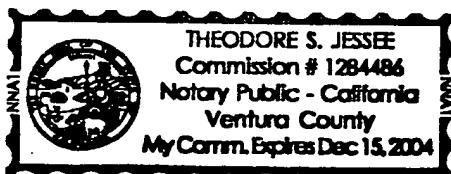
I certify that I know or have satisfactory evidence that James Beasley is the person who appeared before me, and said person acknowledged that he signed this instrument and acknowledged it to be his free and voluntary act for the uses and purposes mentioned in the instrument.

Dated 4-17-02

Signature of  
Notary Public Theodore S. Jessee

Printed Name THEODORE S. JESSEE

My appointment expires 12-15-04



4/17/02  
Date

  
Dennis Dombrowski

State of California )  
 ) ss.  
County of VENTURA )

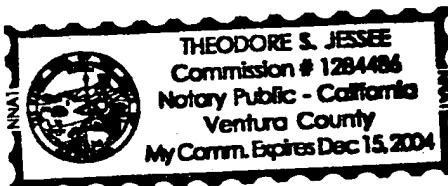
I certify that I know or have satisfactory evidence that Dennis Dombrowski is the person who appeared before me, and said person acknowledged that he signed this instrument and acknowledged it to be his free and voluntary act for the uses and purposes mentioned in the instrument.

Dated 4-17-02

Signature of  
Notary Public

Printed Name THEODORE S. JESSEE

My appointment expires 12-15-04



Date Matthew Kuiken  
State of California )  
                      )  
County of           ) ss.

I certify that I know or have satisfactory evidence that Matthew Kuiken is the person who appeared before me, and said person acknowledged that he signed this instrument and acknowledged it to be his free and voluntary act for the uses and purposes mentioned in the instrument.

Dated \_\_\_\_\_  
Signature of \_\_\_\_\_  
Notary Public \_\_\_\_\_  
Printed Name \_\_\_\_\_  
My appointment expires \_\_\_\_\_

4-17-02

Date

Wade D. Mergenthal

Wade Mergenthal

State of California )

ss.

County of VENTURA )

I certify that I know or have satisfactory evidence that Wade Mergenthal is the person who appeared before me, and said person acknowledged that he signed this instrument and acknowledged it to be his free and voluntary act for the uses and purposes mentioned in the instrument.

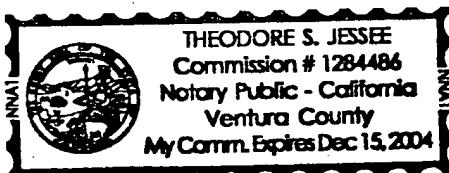
Dated 4-17-02

Signature of  
Notary Public

Theodore S. Jessee

Printed Name THEODORE S. JESSEE

My appointment expires 12-15-04



4-17-02

Date

Spencer Stephens

State of California )

) ss.

County of VENTURA )

I certify that I know or have satisfactory evidence that Spencer Stephens is the person who appeared before me, and said person acknowledged that he signed this instrument and acknowledged it to be his free and voluntary act for the uses and purposes mentioned in the instrument.

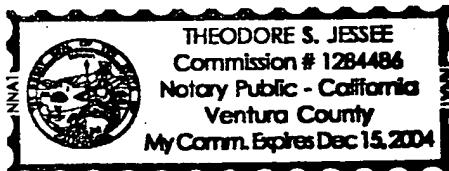
Dated 4-17-02

Signature of  
Notary Public

Theodore S. Jesse

Printed Name THEODORE S. JESSEE

My appointment expires 12-15-04



## ASSIGNMENT

WHEREAS, we, James Beasley, Dennis Dombrowski, Matthew Kuiken, Wade Mergenthal, and Spencer Stephens ("ASSIGNORS"), having post office addresses of 634 Verdemont Circle, Simi Valley, California 93065; 12132 London Grove Court, Moorpark, California 93021; 535 North Oaktree Lane, Apt. D, Thousand Oaks, California 91360; 5255 Goldenridge Court, Camarillo, California 93012; and 4538 Ledge Avenue, Toluca Lake, California 91602, respectively, are the joint inventors of an invention entitled "WIRELESS BASE STATION NEIGHBOR DISCOVERY IN A COMMUNICATION SYSTEM, SUCH AS A SYSTEM EMPLOYING A SHORT-RANGE FREQUENCY-HOPPING SCHEME," as described and claimed in the specification forming part of an application for United States letters patent executed herewith and which claims the benefit of U.S. Provisional Application No. 60/288,296, filed May 2, 2001;

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their successors and assigns as fully and entirely as the same would have been held and enjoyed by ASSIGNORS had this assignment, transfer, and sale not been made.

UPON THE ABOVE-STATED CONSIDERATIONS, ASSIGNORS agree to not execute any writing or do any act whatsoever conflicting with this assignment, and at any time upon request, without further or additional consideration but at the expense of ASSIGNEE, execute all instruments and documents and do such additional acts as ASSIGNEE may deem necessary or desirable to perfect ASSIGNEE's enjoyment of this grant, and render all necessary assistance required for the making and prosecution of applications for United States and foreign patents on the invention, for litigation regarding the patents, or for the purpose of protecting title to the invention or patents therefor.

ASSIGNORS authorize and request the Commissioner of Patents and Trademarks to issue any Patent of the United States that may be issued for the invention to ASSIGNEE.

Date	James Beasley
State of California	)
	) ss.
County of _____	)

I certify that I know or have satisfactory evidence that James Beasley is the person who appeared before me, and said person acknowledged that he signed this instrument and acknowledged it to be his free and voluntary act for the uses and purposes mentioned in the instrument.

Dated	_____
Signature of Notary Public	_____
Printed Name	_____
My appointment expires	_____

Date	Dennis Dombrowski
State of California	)
	)
County of	)

I certify that I know or have satisfactory evidence that Dennis Dombrowski is the person who appeared before me, and said person acknowledged that he signed this instrument and acknowledged it to be his free and voluntary act for the uses and purposes mentioned in the instrument.

Dated \_\_\_\_\_

Signature of \_\_\_\_\_  
Notary Public \_\_\_\_\_

Printed Name \_\_\_\_\_

My appointment expires \_\_\_\_\_

05/29/02  
Date

Matthew Kuiken  
Matthew Kuiken

State of California )  
 )  
County of \_\_\_\_\_ ) ss.

I certify that I know or have satisfactory evidence that Matthew Kuiken is the person who appeared before me, and said person acknowledged that he signed this instrument and acknowledged it to be his free and voluntary act for the uses and purposes mentioned in the instrument.

*see attached*

Dated \_\_\_\_\_

Signature of \_\_\_\_\_  
Notary Public \_\_\_\_\_

Printed Name \_\_\_\_\_

My appointment expires \_\_\_\_\_

# CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California

County of

Santa Barbara } ss.

On 5-29-02, before me,

Date

ROSE ANNE BOWSER

Name and Title of Officer (e.g., "Jane Doe, Notary Public")

personally appeared MATTHEW KUIKEN

Name(s) of Signer(s)

personally known to me  
 proved to me on the basis of satisfactory evidence

to be the person(s) whose name(s) are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Rose Anne Bowser

Signature of Notary Public

## OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

### Description of Attached Document

Title or Type of Document: \_\_\_\_\_

Document Date: \_\_\_\_\_ Number of Pages: \_\_\_\_\_

Signer(s) Other Than Named Above: \_\_\_\_\_

### Capacity(ies) Claimed by Signer

Signer's Name: \_\_\_\_\_

Individual  
 Corporate Officer — Title(s): \_\_\_\_\_  
 Partner —  Limited  General  
 Attorney in Fact  
 Trustee  
 Guardian or Conservator  
 Other: \_\_\_\_\_

RIGHT THUMBPRINT  
OF SIGNER

Top of thumb here

Signer Is Representing: \_\_\_\_\_

Date \_\_\_\_\_

Wade Mergenthal

State of California \_\_\_\_\_ )

) ss.

County of \_\_\_\_\_ )

I certify that I know or have satisfactory evidence that Wade Mergenthal is the person who appeared before me, and said person acknowledged that he signed this instrument and acknowledged it to be his free and voluntary act for the uses and purposes mentioned in the instrument.

Dated \_\_\_\_\_

Signature of \_\_\_\_\_  
Notary Public \_\_\_\_\_

Printed Name \_\_\_\_\_

My appointment expires \_\_\_\_\_

Date Spencer Stephens

State of California )  
County of \_\_\_\_\_ )  
ss )

I certify that I know or have satisfactory evidence that Spencer Stephens is the person who appeared before me, and said person acknowledged that he signed this instrument and acknowledged it to be his free and voluntary act for the uses and purposes mentioned in the instrument.

Dated \_\_\_\_\_

Signature of  
Notary Public \_\_\_\_\_

Printed Name \_\_\_\_\_

My appointment expires \_\_\_\_\_